

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
) CRIMINAL ACTION
v.) 05-10115-JLT
JOSE MORALES et al.)
)

JOINT STATUS REPORT

Pursuant to Local Rule 116.5(A), the United States respectfully submits this status report in connection with the final status conference scheduled for November 22, 2005.

1. Local Rule 116.3 Timing Requirements

At the time of defendant's preliminary hearings in this case in April 2005, the government disclosed to defense counsel the wiretap evidence in this case, including the wiretap affidavits and more than 6,000 recorded phone calls, the majority of which are in Spanish. On June 14, 2005, the government provided more particularized wiretap discovery. The Court held an initial status conference on July 12, 2005 and an interim status conference on September 28, 2005.

The government submits that no additional time is required to resolve the issue of discovery.

2. Expert Testimony

At trial on the pending indictment, the government anticipates that it will present the testimony of one or more forensic chemists regarding the content of controlled substances seized during this case. The government may also present non-expert opinion testimony and expert opinion testimony pursuant to Fed. R. Evid. 701 and 703 by law enforcement agents regarding the content and meaning of the intercepted phone calls.

3. Additional Discovery

The government does not anticipate producing additional discovery. If any additional documentation/information is obtained, the government will provide such information to defense counsel. The government will however produce an inventory of all the discovery produced to

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ensure that each defense counsel has complete discovery.

4. Motion Date

The government anticipates that defense counsel will not be seeking a deadline for the filing of pretrial motions in this case. No pre-trial motions have been filed.

5. Speedy Trial Calculations

Based on the complex nature of the case and undersigned conversation with several defense counsel in this matter, the court should exclude from the STA calculations the time from today's status conference until the court's next scheduled status hearing. The government submits that 0 days have run under the 70 day clock.

6. Anticipated Length of Trial

Given the number of co-defendants in this case, it is too early to determine whether a trial is required in this matter and the anticipated length of any such trial. At this point, the government anticipates that as many as ten defendant may proceed to trial. Such a trial would take approximately six weeks.

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BARRY P. WILSON

Date

11/22/05

Counsel for MIGUEL CASADO
ELAINE POURINSKI

Date

Counsel for HERMAN MELO JR.
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Counsel for BRIAN P. KEENAN
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Date

Counsel for DAVID R. ROSANINA
WALTER P. FARIK

Date

Counsel for WILFREDO TORRES
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Counsel for LUIS D. SOUCLAT
PHILIP J. COPPOLA

Date

11-22-05

Counsel for WILBERTO BATISTA
J. THOMAS KERNER

Date

11/22/05

Date

Counsel for JOSE ORTIZ-PEREZ
DAVID DUNCAN

7. Final Status Conference

The government submits that no further status conferences before Your Honor are required.

Respectfully submitted,

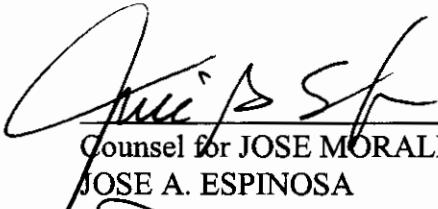
MICHAEL J. SULLIVAN

United States Attorney

By:

Neil J. Gallagher, Jr.
Lisa Asiaf
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Date: November 22, 2005


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Counsel for JOSE NICHOLSON
VICTORIA M. BONILLA-ARGUDO

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Date